

**Customer No. 26629**  
Confirmation No. 7502

Patent Application  
Attorney Docket No. TER0400.010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Brockway, Robert John  
Serial No. : 09/599,679  
Filing Date : June 22, 2000  
For : COMPACTOR WHEEL AXLE GUARD SYSTEM  
Group Art No. : 3617

Examiner : Russell D. Stormer

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**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

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**37 CFR 1.8(a)**

**37 CFR 1.10**

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- ☒ transmitted by EFS-WEB addressed to Examiner Russell D. Stormer at the Patent and Trademark Office.

Date: May 9, 2011

/Robyn L. Templin/

Signature

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATUS INQUIRY RE INTERFERENCE**

Dear Sir:

On February 24, 2011, March 3, 2011, and March 8, 2011 a series of telephonic interviews were conducted regarding the above-referenced matter between Applicant's representatives and US PTO personal, including Examiner Russell Stormer, Director Talbott, Supervisory Examiner Joseph Morano, and Quality Assurance Specialist Stephen Meyer. On March 7, 2011 the Office mailed a notice of an Examiner Initiated Suspension due to a potential interference. During the March 8, 2011 interview, Examiners Morano and Stormer agreed that it should not take longer than two weeks from the March 8, 2011 to determine whether an

interference should be invoked. To date, more than two months have passed since the March 8, 2011 interview.

According to PAIR, the current status of this application, as of April 14, 2011 is "Interference -- Initial Memorandum." The Transaction History lists "Interference Initial Memo Disposal" on April 14, 2011 and "Initial Memorandum under APJ review" on April 28, 2011. However, Applicant has not received any correspondence from the PTO subsequent to the March 8, 2011 Notice of Examiner Initiated Suspension.

Accordingly, kindly advise the undersigned of the present status of this application, and/or when a decision on whether an interference would be invoked can be expected.

Respectfully submitted,

/Timothy J. Ziolkowski/

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Dated: May 9, 2011  
Atty. Docket No. TER0400.010

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